

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

HUNTINGTON DIVISION

TRI-STATE PROPERTY
RENTALS, LLC, et al.,

Plaintiffs,

v.

CIVIL ACTION NO. 3:23-0072

CABELL COUNTY MAGISTRATE
COURT, et al.,

Defendants.

MEMORANDUM OPINION AND ORDER

This action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendations for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted Findings of Fact and recommended that Plaintiffs' Application to Proceed Without Prepayment of Fees and Costs (ECF No. 1) be denied as moot, and the Complaint (ECF No.2) be dismissed and removed from the docket of the Court. No objections to the Magistrate Judge's findings and recommendations have been filed.

Accordingly, the Court accepts and incorporates herein the findings and recommendations of the Magistrate Judge and **ORDERS** that Plaintiffs' Application to Proceed Without Prepayment of Fees and Costs (ECF No. 1) be **DENIED** as moot, the Complaint (ECF No.2) be **DISMISSED**, and this matter be removed from the docket of the Court, consistent with the findings and recommendations.

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: April 14, 2023

A handwritten signature in black ink, appearing to read 'Robert C. Chambers', written over a horizontal line.

ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE